

January 22, 1974

SENATOR FOWLER: I would like to say on the 90 day thing, I may be confused, but it seems to me that if you give \$500 for 90 days a person could write 450 dollars in 90 days, and then the next 90 days could write 450, and the next 90 days write 450 dollars, so that in fact we have increased the amount for one year. Would that be your understanding? Senator Luedtke.

SENATOR LUEDTKE: I have the feeling that that might be the result, but I know that isn't what Senator Goodrich wants. He wants to do just the opposite. But I'm wondering if renewal every 90 days wouldn't have that affect. Because every 90 days this is what..Senator Goodrich I mentioned this to you that the affect might be that every 90 days you are actually giving them that..giving them the full amount whether it's 500 or 300 or whatever it is, so that every 90 days they could do that, rather than within a year. I think the year was sound thinking myself.

SENATOR FOWLER: Thank you, Senator Luedtke.

PRESIDENT: Senator Chambers, did you wish to be recognized on the Goodrich amendment.

SENATOR CHAMBERS: Yes, very briefly Mr. President. I think this amendment also ought to be defeated for the reasons brought out by Senator Fowler and Senator Luedtke, but in addition to that for clarification a merchant need not wait any period of time when a bad check is obtained and it is discovered that it is a bad check. Action can be instituted immediately. This just provides a cut off point between a misdemeanor and a felony, or incarceration of the county jail and the penitentiary.

(End Belt #3)

(Start Belt #4)

PRESIDENT: Senator Nore did you want to be heard? This is the Goodrich amendment only.

SENATOR NORE: Mr. President and fellow members. This is another piece of legislation that I don't think anyone out in the state has asked for. I know none of my constituents have asked for it. I'm wondering how many of your constituents have asked for this particular piece of legislation. I think the statutes are good as they are and I think the whole bill should be killed.

PRESIDENT: Senator Duis, did you want to be heard on the Goodrich amendment. Any further discussion of the Goodrich amendment. Senator Goodrich would you care to close?

SENATOR GOODRICH: Yes, just briefly. The objective here is to convert it from a misdemeanor to a felony as soon as possible. That's the though I had in mind because of the fact that the misdemeanor cannot be extradited. For example the man gives the checks in Omaha and lives in Council Bluffs, the minute he gives the checks he goes across the river, if it is not a felony he cannot be extradited, and that's the objective of having this determined as soon as possible, and if it is a felony let's get it so that we can get him extradited and get him back here into Nebraska. I still move for the adoption.

4997